



1/28/18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): CHIARELLI et al.

Serial No.: 10/533,768

For: CONTROLLED AND CONTINUED DELIVERY OF RIFAXIMIN
AND/OR OTHER SUBSTANCES

Filed: May 4, 2005

Examiner: Nissa M. WESTERBERG

Art Unit: 1618

Confirmation No.: 8171

Customer No.: 27,623

Attorney Docket No.: 0002263USU/3061

Mail Stop Amendment

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT AND RESPONSE TRANSMITTAL

We are enclosing an Amendment and Response to Restriction Requirement in response to the Office communication mailed December 15, 2008 in the above-identified application.

Petition for a one-month extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$130.00 to extend the time for filing this response until February 16, 2009.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	20	0	x \$52.00	\$0.00
Independent Claims	1	Minus	3	0	x \$220.00	\$0.00
MULTIPLE DEPENDENT CLAIM FEE						x \$390.00 = \$0.00
TOTAL FEE FOR CLAIM CHANGES						\$0.00
1/2 FILING FEE FOR SMALL ENTITY						\$N/A

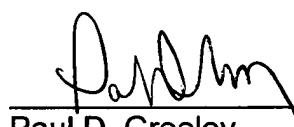
The total fee for this amendment, including claim changes and one-month extension of time is calculated to be **\$130.00**.

XXX A check in the amount of **\$130.00** is attached.

XXX The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467** in the name of Ohlandt, Greeley, Ruggiero & Perle, LLP.

January 26, 2009

Date


Paul D. Greeley
Attorney for Applicant(s)
Registration No. 31,019
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Telephone: (203) 327-4500
Telefax: (203) 327-6401

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON JANUARY 26, 2009.

LYNN C. WALLACH
NAME



SIGNATURE

26/JAN/2009
DATE